

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**JAMES R. THOMPSON and
CLIFFORD WEINER,**

Plaintiffs,

v.

No. 12-cv-0276 MCA/SMV

**DAPHNE GAMMON, MARTHA SCHUETZ,
NANCY WALKER, JOHN DEWITT,
CATHY DEWITT, and MARK F. REED,**

Defendants,

and

**DAPHNE GAMMON, NANCY WALKER,
and MARK F. REED,**

Counterclaimants,

v.

**JAMES R. THOMPSON and
CLIFFORD WEINER,**

Counterdefendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court sua sponte. Plaintiffs filed their Second Amended Complaint against Defendants on October 30, 2013. [Doc. 30]. Pursuant to Fed. R. Civ. P. 4(m), Plaintiffs had 120 days from filing the Second Amended Complaint within which to effect service of process on the newly named Defendants, including John DeWitt and Cathy DeWitt. There is no indication on the record that service of process has been effected with respect to the Defendants John DeWitt and Cathy DeWitt.

IT IS THEREFORE ORDERED that Plaintiffs show good cause why their claims against Defendants John DeWitt and Cathy DeWitt should not be dismissed without prejudice for failure to comply with the service provision of Rule 4(m). Plaintiffs shall file their response within 21 days of entry of this Order.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge